

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Etsuo Kawate

Application No.: 10/785,055

Confirmation No.: 8560

Filed: February 25, 2004

Art Unit: 2877

For: OPTICAL SYSTEM FOR MEASUREMENT Examiner: Not Yet AssignedSUBMISSION OF CERTIFICATE OF LIMITED RECOGNITION UNDER  
37 CFR § 10.9(b) GRANTED TO TOSHIKATSU IMAIZUMI

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please make of record the certificate of Limited Recognition under 37 C.F.R. § 10.9(b) granted to Toshikatsu Imaizumi, as an employee of the law firm of Rader, Fishman & Grauer PLLC, to represent the applicant(s) of this application and to prosecute this application under 37 C.F.R. § 10.9(a) and (b) as an attorney, wherein the patent applicant(s) is/are client(s) of the firm of Rader, Fishman & Grauer PLLC and wherein the undersigned is a registered practitioner who is a member of the firm of Rader, Fishman & Grauer PLLC and is the attorney or agent of record. A copy of the original document is attached for entry into the record.

Dated: February 22, 2005

Respectfully submitted,

By \_\_\_\_\_

Brian K. Dutton

Registration No.: 47,255

RADER, FISHMAN &amp; GRAUER PLLC

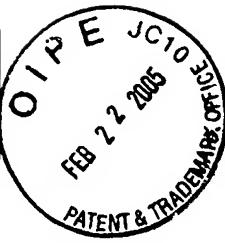
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Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith on Form PTO-1449 or PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 or PTO/SB/08 be returned in accordance with MPEP §609.

- A copy of each listed document is being submitted to comply with the provisions of 37 CFR §§1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

**Concise Explanation of Relevancy of the Document**

(Fill out if no English translation, partial translation or English abstract is available)

- Any document having neither English translation nor English abstract has been cited in a communication from a foreign patent office in a counterpart foreign application or international application, or its related application. A copy of the communication is attached hereto, accompanied by English translation of at least relevant part, if it is not in English. English translation of the document is not readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. §1.98 and MPEP §609).

1. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. No fee is required. If, however, a first Office Action on the merits is issued, no fee is required in view of the statement below (37 C.F.R. §1.97(b)).
- a. Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. No item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2). The Certification under 37 CFR §1.97(e)(2) is attached hereto.

The Patent Office is **NOT AUTHORIZED** to charge deposit account 18-0013 in the amount of \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p). However, **ONLY IF** a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application has been mailed prior to filing of this Information Disclosure Statement, the Patent Office is authorized to charge \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p) in view of the statement above under 37 CFR §1.97(e). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

The undersigned has been given limited recognition by the Director to prosecute as an attorney this application under 37 C.F.R. §10.9(a). A copy of the document granting limited recognition under 37 C.F.R. §10.9(b) is concurrently filed for recordation purpose.

Dated: February 22, 2005

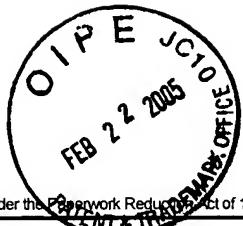
Respectfully submitted,

By

Toshikatsu Imaizumi

Registration No.: Limited Recognition Under  
37 C.F.R. § 10.9(b)

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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

				<b>Complete if Known</b>	
				Application Number	10/785,055-Conf. #8560
				Filing Date	February 25, 2004
				First Named Inventor	Etsuo Kawate
				Art Unit	2877
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	AIS-0014

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
BA	JP-11-183320-A		07-09-1999	Nikon Corp.		
BB	JP-2000-180351-A		06-30-2000	Nikon Corp.		
BC	JP-2002-296111-A		10-09-2002	National Institute of Advanced Industrial & Technology		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
CA		Japanese Office Action dated December 12, 2004	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered	
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